

REMARKS/ARGUMENTS

Claims 1, 3, 4, 6, 8-12, and 14-21 are pending in the present application. Claims 1, 14, and 16 are independent. Claims 1, 3-6, 8-12, 14, and 16 are amended. Claims 2, 5, 7, and 13 are cancelled without prejudice to, or disclaimer of, subject matter recited therein. The subject matter of claim 7 and intervening claim 2, are incorporated into independent claims 1, 14, and 16 by this amendment.

In section 7, on page 15, the Office Action indicates that claims 7 and 13 would be allowable if rewritten in independent form. Claim 1 is rewritten in independent form corresponding to previously pending claim 7. Accordingly, claims 2 and 7 are cancelled without prejudice to, or disclaimer of, subject matter recited therein. Claims 5 and 13 are also cancelled for the reason that the subject matter of claim 7 incorporated into claim 1, from which claims 5 and 13 depended, is the same.

Additionally, independent claims 14 and 16 are amended to incorporate the subject matter previously recited in allowable claim 7. Claims 3, 4, 6, 8-12, 15 and 17-21 depend, respectively, from claims 1, 14, and 16. For at least the foregoing reasons, it is respectfully submitted that all of pending claims 1, 3, 4, 6, 8-12 and 14-21 are allowable based on the previous indication that claims 7 and 13 were allowable.

On pages 9-15, the Office Action includes a variety of rejections of the claims based on alleged prior art. For the reasons stated above in connection with the indication that claims 7 and 13 were allowable, it is respectfully requested that all of the rejections of the claims on pages 2-15 of the Office Action be withdrawn.

Entry of the amendments is proper under 37 CFR 1.116 since the amendments: (a) place the application in condition for allowance (for the reasons discussed herein); (b) do not raise any new issues requiring further search and/or consideration (because the amendments amplify issues previously addressed throughout the prosecution of this application); (c) satisfy a requirement of form asserted in the previous Office Action; (d) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (e) place the application in better form for appeal, should an appeal be necessary.

The amendments are necessary and were not earlier presented because, although a previous Office Action indicated that claims 7 and 13 recited allowable subject matter, the previous Office Action did not indicate the reasons for allowability of the claims. Applicant now amends the claims to incorporate this allowable subject matter in light of the current indication of reasons for allowability. Accordingly, Applicant respectfully requests entry of the amendments and allowance of all claims of this application.

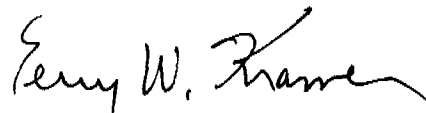
CONCLUSION

While we believe that the instant amendment places the application in condition for allowance, should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner telephone the undersigned attorney in order to expeditiously resolve any outstanding issues.

Application No: 10/808,365
Attorney's Docket No: ALC 3121

In the event that the fees submitted prove to be insufficient in connection with the filing of this paper, please charge our Deposit Account Number 50-0578 and please credit any excess fees to such Deposit Account.

Respectfully submitted,
KRAMER & AMADO, P.C.



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